S.B.CRIMINAL MISC. BAIL APPLICATION NO.4001/06

Date : 12.09.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. D.D. Chitlangi for the applicant.
Mr. Vishnu Kachhawha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that in this case allegations are to the effect that the applicant supplied impure gold ornaments. According to learned counsel, if something would have happened in that way, then, for what reasons after more than one year, First Information Report has been lodged. He submits that the applicant has been falsely implicated in this case.

On the other hand, learned Public Prosecutor submits that gold ornaments, when tested found to be of impure gold.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case and the fact that after more than a year the FIR has been lodged, I deem it just and proper to grant anticipatory bail to the applicant. Accordingly, it is directed that in the event of arrest of applicant Ram Niwas son of Kumbha Ram by I.O./S.H.O. in FIR No.329/2006 P.S. Nokha, District Bikaner, he shall be released on bail provided he furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

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